



Planning Commission, Board of Adjustments & Design Review Board

Special Scheduled Meeting Minutes

Tuesday, August 13, 2013 at 5:15 p.m.

Town Hall, Council Chambers, 551 Hot Springs Boulevard, Pagosa Springs, Colorado 81147

I. Call to order / Roll Call – Commission Chair Lattin, Commissioner Adams, Commissioner Martinez, Commissioner Maez, Commissioner White

II. Announcements

III. Approval of Minutes

A. Approval of June 25, 2013 Planning Commission Meeting Minutes – The minutes will be reviewed by the clerk and brought for approval at the next meeting.

IV. Public Comment

A. Opportunity for the public to provide comments and to address the Planning Commission on items not on the Agenda - None

V. Board of Adjustments

VI. Planning Commission

A. Parelli Landscaping Update - At the April 18, 2006 Design Review Board (DRB) meeting, the DRB approved the Parelli development plans that included a landscaping plan and trail extension to the open space. Since that time, Town staff has inquired with Mark Weiler of Parelli, regarding the outstanding completion of the landscaping plan. Town Staff was requested by Mark Weiler to allow Parelli to modify their landscape plan so that they could afford to move forward completing landscaping for the development project. Town staff swiftly reviewed and approved the proposed landscape plan revisions, and was reassured from Mr. Weiler repeatedly year after year that Parelli was going to complete the landscaping that year. Most recently on May 08, 2012, Parelli proposed a new freestanding sign to the Planning Commission and was approved contingent on the landscaping being completed. Mr. Weiler agreed to a request from Commissioner Woodruff, that the Parelli semi-truck no longer be used as the signage for the property, which Mr. Weiler agreed to. During the current review of the previous design review approval, it was additionally identified that the trail connection had also not been completed as was approved on April 18, 2006. Staff has received complaints as to the enforcement of finishing the landscaping. Mr. Weiler president of Parelli said that in the summer of 2007 when the building was almost completed, the construction loan bank was unable to provide a permanent loan and Parelli was forced to look elsewhere, this caused a shortage of funds and Parelli was unable to complete the landscaping along with other building items. He said that at this time with limited revenues the only way he could afford to complete the landscaping would be to lay off employees. He said the truck that is parked in the lot is a commercial truck in a commercial lot and said that it is parked there occasionally when it is not on the road. He is willing to park the truck anywhere on the lot the board would like. He said the building has bare floors and no baseboard, and he made the decision not to finish the landscaping and building in order to keep his employees working. He promised that if Parelli has extra funds, he will put it into the landscaping as soon as possible. Commissioner Maez said that in the past Mr. Weiler made a deal with the Town and has not held up his end. He does not want to run Mr. Weiler's business and be made responsible of laying people off. Commissioner White would like to come to an arrangement with Parelli, like mowing, without bringing this issue to court. Commissioner White said the property on Putt Hill is allowed to continue to use his property, including junk accumulation, due to the acceptance of the annexation in 1999, and said Parelli's lot is not as messy as the Putt Hill lot. Town Planner Dickhoff said that all developers need to be held to the same standard and this is the only development he knows that has not completed the landscaping plan. He said bonds have been requested for sidewalks and streets, but not for landscaping. Mr. Weiler would like to be given a grace period until September of 2014 to revise the landscaping plan to be obtainable and affordable. He will mow and clean up the area around the building and

his property by August 31st, and will work with Town Planner Dickhoff over the next two months to develop a new landscape plan. He will park the semi-trailer to the furthest south end of the east parking lot, this may diminish the site of the truck from the hwy. He will work with the planning department to include a phased approach design to present to the commission October 8th, a plan to begin May 2014 on the north side of the building along the hwy.

B. Metal Sided Buildings Discussion - The Town has received a number of inquiries over the last few years regarding constructing metal sided buildings. Many of these requests came from property owners that want to expand their existing metal sided building or from those that wanted to build near existing metal buildings. There have been great advances in the metal building materials and some of these new advances have enhanced the appearance of metal sided buildings with better looking metal siding products and incorporating additional exterior architectural features. Staff will look at options for revising the code for zoning or requirements and will bring the item back to the board for discussion.

C. Recreational and Medical Marijuana Update and Discussion - In 2012 the State of Colorado voters approved the retail sales and use of recreational marijuana. Like all municipalities in Colorado, Town Council is currently considering whether to allow or prohibit recreational marijuana retail sales establishments. A town council work session will be held on Friday August 23, at 5pm to discuss the pros and cons of prohibiting or allowing retail sales of recreational marijuana products within the town boundaries. The current moratorium is in effect until January 31, 2014. Regulations for allowing retail sales may be initiated; this includes zoning, number of licenses, signage, location, ownership, and more. Mr. Bill Delaney asked to prohibit outside retailers and require sales of grown in Archuleta product only. He said he has 357 patients, 25% less than 6 weeks ago. He said now there is not a need to have a medical marijuana card and his patient list will probably dwindle. Mr. Jason Werby has applied for a medical marijuana license in the county and is looking forward to applying for a retail shop as well. He is interested in helping to craft an ordinance for the town. He agrees with Mr. Delaney about requiring product grown in the county to be sold in the county. Mr. Jeremy Bonin is offering his assistance to the town in crafting rules and regulations also, he has applied for a medical marijuana license in the county as well.

VII. Design Review Board

A. Tractor Supply Company Store Color Scheme Change Review and Decision - Tractor supply has received approval from the Design Review Board regarding their proposed development. The revised site plans and building elevations received after the DRB meeting, included paint chips for the building colors, that are inconsistent with the colored building elevations presented to the DRB. This was not intentional, just the result of printing inconsistencies vs actual colors. Staff received a new set of colored elevations and has administratively approved the colors as they are consistent with the colors presented.

VIII. Public Comment

A. Opportunity for the public to provide comments and to address the Planning Commission on items not on the Agenda - None

IX. Reports and Comments

A. Town Manager - None

B. Planning Department Report - The Building and Planning Department is currently reviewing revisions to the Walmart development plans and is also awaiting confirmation of an approved USACE permit, CDOT's approval of Hwy modification construction drawings, execution of Developer Improvement Agreement for Alpha Drive and proof of State storm water discharge permit prior to issuing a building permit for the development project. The second all Town Board work session is scheduled for August 20th at 5pm in Town Hall. CDOT projects including Majestic, McCabe Creek, 8th Street Hwy and west phase trail project have been delayed with the new CDOT administrator. Several projects have been put off two years. The riverwalk trail behind town hall is staged and ready as soon as a contract is received from State Trails in the next week, and the sidewalk on 8th Street from the Hwy to San Juan Alley will be installed in the next few weeks. The Lewis Street punch list has been started by TC Pipeline

with completion this year. Cityworks project has been delayed but with hopes to have it up and running soon.

C. Planning Commission – The next meeting is tentatively scheduled for August 27 but no items on slated so far, the following regular meeting will be held September 10, 2013.

D. Upcoming Town Meeting Schedule - The next town council meeting is August 22, 2013.

X. Adjournment - Upon motion duly made, the meeting adjourned at 6:55pm.

James Dickhoff, Planning Director